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ATTORNEY DOCKET NO. 10030184-01

JFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Marshall Thomas DePue, et al.

Serial No.: 10/826799

Examiner:

Filing Date: Apr 15, 2004

Group Art Unit: 2673

Title: An Optical Device That Measures Distance Between The Deice And A Surface

COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

This Information Disclosure Statement is submitted:

(a)  Under 37 CFR 1.97(b).  
(Within three months of filing national application; or date of entry of national application; or before mailing date of first Office action on the merits; whichever occurs last).

(b)  Under 37 CFR 1.97(c) together with **either** a:  
 Statement under CFR 1.97(e), or  
 \$180.00 fee under 37 CFR 1.17(p).  
(After the CFR 1.97(b) time period, but before a final action or notice of allowance, whichever occurs first).

(c)  Under 37 CFR 1.97(d) together with: a  
Statement under 37 CFR 1.97(e), **and**  
\$180.00 fee as set forth in 37 CFR 1.17(p).  
(After a final action or notice of allowance, whichever occurs first, but before payment of the issue fee).

STATEMENT UNDER 37 CFR 1.97(e)

The undersigned certifies that:

Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the statement, **or**  
 No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

PRIOR APPLICATIONS

References identified with an asterisk (\*) in the enclosed PTO Form 1449, were disclosed in prior Patent Application No. , filed , now U.S. Patent No. , and, as such, copies thereof are not included pursuant to the provisions of 37 CFR 1.98(d).

FOREIGN LANGUAGE DOCUMENTS

A concise explanation of the relevance of foreign language patents, foreign language publications and other foreign language information listed on PTO form 1449, as presently understood by the individual(s) designated in 37 CFR 1.56(c) most knowledgeable about the content is given on the attached sheet, or where a foreign language patent is cited in a search report or other action by a foreign patent office in a counterpart foreign application, an English language version of the search report or action which indicates the degree of relevance found by the foreign office is listed on form PTO 1449 and is enclosed herewith.

FEE AUTHORIZATION

Please charge to Deposit Account **50-1078** the sum of \$0.00. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account **50-1078** pursuant to 37 CFR 1.25.

I hereby certify that this correspondence is being deposited with the United States Postal Service as:

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OR

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Date of Facsimile:

Typed Name: Linda A. limura

Signature: \_\_\_\_\_

Respectfully submitted,

Marshall, Thomas DePue et al.

By

Juergen Krause-Polstorff  
Attorney/Agent for Applicant(s)

Reg. No. 41,127

Date: August 31, 2005

Telephone No. 650 485-5904



**Form PTO-1449**

**LIST OF PATENTS AND PUBLICATIONS FOR  
APPLICANT'S INFORMATION DISCLOSURE  
STATEMENT**

(Use several sheets if necessary)

<b>ATTORNEY DOCKET NO.</b> 10030184-01	<b>SERIAL NO.</b> 10/826799
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**APPLICANT**

<b>FILING DATE</b> April 15, 2004	<b>GROUP</b> 2673
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## **FOREIGN PATENT DOCUMENT**

		DOCUMENT NUMBER	DATE	NAME	TRANSLATION YES      NO
		0 024 167 A2	08/07/1980	EP	

**OTHER REFERENCES (including Author, Title, Date, Pertinent Pages, etc.)**

	Martinez-Celorio, R. A., "Out-of-Plane Displacement Measurement by Electronic Speckle Pattern Interferometry in Presence of Large In-Plane Displacement", Optics Communications, Vol. 208, July 1, 2002, pp. 17-24.

\* Copies of these references are not enclosed Pursuant to 37 CFR 1.98(d). (See accompanying IDS)

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